

REMARKS

Claims 1-6 and 8-19 remain pending.

The Applicants respectfully request the Examiner to reconsider earlier rejections in light of the following remarks. No new issues are raised nor is further search required as a result of the changes made herein. Entry of the Amendment is respectfully requested.

Claims 1-19 over Tendler

In the Office Action, claims 1-4 and 6-19 were rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Tendler, U.S. Patent No. 5,555,286 ("Tendler"), with claim 5 rejected under 35 U.S.C. § 103(a) as allegedly being obvious over Tendler. The Applicants respectfully traverse the rejection of the remaining claims.

Claim 7 was not reiterated as being rejected as anticipated over Tendler in the opening paragraph of the rejection. Claim 7 was addressed on page 4 of the rejection. The Applicants are addressing claim 7 as having been rejected over Tendler.

Claims 1-19 recite, *inter alia*, an apparatus and a method where a base unit and handset are directly interfaced and respond to a predetermined key sequence in either one of an off-hook condition, while receiving a dial tone, and an on-hook condition, without receiving a dial tone.

Tendler appears to disclose a cellular telephone based emergency vessel/vehicle location system that includes a combined dialer and activation detector in which activation may either be from the cellular phone keypad or from other means. In one embodiment, the dialer and activation detector is actuated from the keypad of the cellular phone, such as 911, *CG, *SP or other predetermined activation code.

Tendler discloses a cellular telephone. A cellular telephone's handset transmits to a base station receiver. A cellular telephone does not rely on an on-hook and off-hook condition, i.e., a dial tone, for operation. Tendler fails to disclose a cordless telephone handset and base unit that are directly interfaced, much less an apparatus and a method where a base unit and handset

are directly interfaced and respond to a predetermined key sequence in by the handset without receipt of a **dial tone**, as recited by claims 1-19.

The Examiner argues that a cellular phone has an on-hook and off-hook condition. The Examiner interprets this as a voice connection present or absent (Office Action, page 2). The Applicants respectfully disagree.

A voice connection has nothing to do with being in an on-hook or an off-hook condition. Cellular networks do not rely on dial tones for operation and therefore **NEVER** enter an on-hook NOR an off-hook condition. To further emphasize this clear distinction, all pending claims have been amended herein to indicate that on-hook and off-hook conditions are to be interpreted in light of their clear understanding in the art, i.e., relating to the receipt of a dial tone.

Accordingly, for at least all the above reasons, claims 1-19 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Conclusion

All objections and rejections having been addressed, it is respectfully submitted that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,



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Version with Markings to Show Changes Made

1. (Three Times Amended) A cordless telephone, comprising:
 - a base unit; and
 - a telephone line interface adapted to interface the base unit to a public switched telephone network;
 - wherein a handset is adapted to directly communicate with the base unit, the handset including
 - a keypad,
 - a key scan element adapted to scan the keypad for a predetermined key sequence while the handset is in either one of an on-hook condition, without receiving a dial tone, and an off-hook condition, while receiving a dial tone, and
 - a controller adapted to cause the initiation of an outgoing call based on a determination of the predetermined key sequence.

6. (Three Times Amended) A handset for a cordless telephone, comprising:
 - a keypad,
 - a key scan element adapted to scan the keypad for a predetermined key sequence while the handset is in either one of an on-hook condition, without receiving a dial tone, and an off-hook condition, while receiving a dial tone, and
 - a controller adapted to cause the initiation of an outgoing call by outputting a signal to a corresponding base unit, directly interfaced with the handset, with a telephone line interface based on a determination of the predetermined key sequence.

12. (Three Times Amended) A method of placing a telephone call from a cordless telephone comprising a handset and a base unit with a telephone line interface that is in an on-hook condition, comprising the steps of:

sensing the activation of predetermined key sequence while the cordless telephone handset is in either one of the on-hook condition, without receiving a dial tone, and an off-hook condition, while receiving a dial tone; and

initiating a telephone call based on the senses activation;

wherein the cordless telephone handset is adaptively interfaced directly with a base unit.